

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

LISA DAMI,

Plaintiff,

v.

Case No. 8:18-cv-2795-VMC-AEP

ANDREW M. SAUL,  
Commissioner of  
Social Security,

Defendant.

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**ORDER**

This matter is before the Court on consideration of United States Magistrate Judge Anthony E. Porcelli's Amended Report and Recommendation (Doc. # 34), filed on February 11, 2021, recommending that Plaintiff's Attorneys' Unopposed Motion for Award of Attorney Fees Under 42 U.S.C. § 406(b) (Doc. # 29) be granted and Plaintiff's counsel be awarded attorneys' fees in the amount of \$26,207.58.

Although Plaintiff Dami objected to the initial Report and Recommendation (Doc. # 32), upon filing of the Amended Report and Recommendation, Plaintiff Dami withdrew her objection. (Doc. # 35). As of the date of this Order, no objections to the Amended Report and Recommendation have been filed. The time for filing objections has lapsed. The Court

accepts and adopts the Report and Recommendation and grants the motion for award of attorneys' fees.

### **Discussion**

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).


After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.

Accordingly, it is now

**ORDERED, ADJUDGED, and DECREED:**

- (1) The Amended Report and Recommendation (Doc. # 34) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff's Attorneys' Unopposed Motion for Award of Attorney Fees Under 42 U.S.C. § 406(b) (Doc. # 29) is **GRANTED**. Plaintiff's counsel is awarded attorneys' fees in the amount of \$26,207.58 pursuant to 42 U.S.C. § 406(b).

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 3rd day of March, 2021.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE